

# Memorandum



**Date:** July 15, 2015

Agenda Item No. 2(B)3

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

September 1, 2015

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Status Report Addressing Infill Housing Program Interlocal Agreements with Municipalities to Ensure the Timely Waiver and/or Release and Satisfaction of Municipal Liens Recorded Against Infill Program Properties – Directive 142037

The attached status report is presented in accordance with Resolution No. R-1004-14 which was approved by the Board of County Commissioners (Board) on November 5, 2014, directing the County Mayor to submit a report urging the cities of Miami, North Miami, Opa-locka, Homestead, Florida City, and Miami Gardens to waive and/or release and satisfy municipal liens recorded against properties in the Miami-Dade County Infill Housing Initiative Program.

On January 29, 2015, letters were sent to the six (6) municipalities noted above. With the exception of North Miami and Florida City, all of these municipalities currently have infill lots. Nonetheless, the Public Housing and Community Development Department (Department) has since been in contact with all the municipalities to request their cooperation in entering into respective Interlocal Agreements.

Additionally, the Department met with the City of Miami and the County Attorney's Office to negotiate responsibilities, and a draft agreement is under review as part of the negotiations. The Department will use the final Interlocal Agreement with the City of Miami as a template for the remaining five (5) municipalities that may request other terms and conditions.

## **Summary of Outreach**

Subsequent to the letter dated January 29, 2015, the Department sent emails on February 18, 2015 to the Municipal City Manager's Offices, Municipal Mayor's Office and the City Clerk's Office, and included copies of the January 29, 2015 letter and the Interlocal Agreement template, which listed the County-owned lots within the respective jurisdictions. Staff also made follow-up phone calls to ensure receipt of the County Mayor's letter, resolution, draft of the Interlocal Agreement and to answer any questions from the municipalities. On March 12, 2015 and May 29, 2015, staff subsequently emailed and called the respective municipalities to once again urge them to review the Interlocal Agreement template and respond to the County's request.

Below is a brief summary of the specific actions regarding each municipality:

- *City of Miami:* The City of Miami's legal staff met with the County Attorney's Office on March 30, 2015. On May 7, 2015 and June 17, 2015, the County Attorney's Office followed-up with the City of Miami to finalize the draft language for respective responsibilities in the Interlocal Agreement. Although it appears that the City of Miami may be agreeable to waiving certain liens, the terms of the Interlocal Agreement have yet to be finalized.
- *City of Homestead:* County staff shared draft language for the Interlocal Agreement with the City of Homestead on May 7, 2015. The City of Homestead requested time to review the lots being encumbered by liens. A response from the City of Homestead has not yet been received.

- *City of North Miami*: On March 26, 2015, County staff called City of North Miami staff and once again emailed the letter dated January 29, 2015, resolution, and Interlocal Agreement template to the City of North Miami's legal department and copied the Mayor and City Manager's Offices. Staff has been responding to questions from the City Attorney's Office regarding lots within their municipality and the Interlocal Agreement.
- *City of Miami Gardens*: On March 26, 2015, County staff called City staff and once again emailed the letter dated January 29, 2015, resolution, and Interlocal template to City staff. A response has not been received from the City of Miami Gardens.
- *City of Florida City*: The City informed the Department on February 20, 2015 that it is inclined to enter into an Interlocal Agreement as long as it has first right of refusal to acquire the lots from the County for its use. The Department will work with the County Attorney's Office to incorporate this request.
- *City of Opa-locka*: On July 8, 2015, County staff met with City of Opa-locka staff from Budget, Planning and Community Development and City Manager staff to explain the Infill Housing Program, address questions, and to urge them to enter into an Interlocal Agreement. Additionally, PHCD suggested that their City attorney review the Interlocal Agreement and communicate any changes to the County and to present an item to their Board allowing them to enter into an agreement with the County should they agree to go forward with this matter.

The Department requests an additional six-month extension to complete the pending action items enumerated above, submit its final report, and complete the Interlocal Agreements that will require Board approval.

If you have any questions regarding this report, please contact the Department Director Michael Liu at (786) 469-4106.

Pursuant to Ordinance 14-65, this memorandum will be placed on the next available Board of County Commissioners meeting agenda.

#### Attachment

c: Robert A. Cuevas, Jr., County Attorney  
Russell Benford, Deputy Mayor, Office of the Mayor  
Michael Liu, Director, Public Housing and Community Development Department  
Terrence Smith, Assistant County Attorney  
Charles Anderson, Commission Auditor  
Eugene Love, Agenda Coordinator



CARLOS A. GIMENEZ

MAYOR

MIAMI-DADE COUNTY

January 29, 2015

The Honorable Tomas P. Regalado  
Mayor  
City of Miami  
3500 Pan American Drive  
Miami, FL 33133

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Regalado:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

The purpose of the Infill Program is: (1) to increase the availability of affordable homes for low- and moderate-income persons ("Qualified Households"); (2) maintain a stock of affordable housing; (3) redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties; (4) equitably distribute homeownership opportunities within certain infill target areas as defined in the Miami-Dade County Florida Code of Ordinances (Code), Section 17-122; and (5) generate payment of ad valorem taxes. Through the Infill Program, developers build single family homes to be sold to qualified households. The Infill Program further encourages the redevelopment of vacant, dilapidated or abandoned property through the sale or transfer of County property to qualified developers, and the inclusion of privately owned vacant, dilapidated or abandoned properties. These infill properties often have both County and municipal liens and citations that encumber the properties which must be addressed prior to the sale of a home to a Qualified Household.

Pursuant to Section 17-26 of the County Code, the Mayor is authorized to release or satisfy any County lien and/or citation placed on publicly or privately-owned property if the property has been approved by the Mayor for the Infill Program and the private owner records a declaration of restrictive covenants in the public records in a form approved by the County. Such County liens include, but are not limited to, civil restitution liens, code enforcement liens, demolition liens, hospital liens, judgment liens, lot clearing liens, minimum housing standard liens, mortgage liens, nuisance abatement liens, public defender liens, storm water utility liens, waste liens, water and sewer liens and welfare liens.

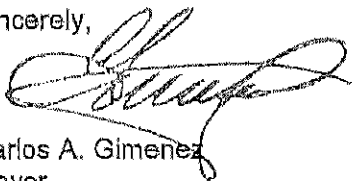
However, there is no similar provision for the waiver and/or release and satisfaction of municipal liens recorded by municipalities, where some of our Infill Program properties are currently located. As a result of these liens, the County and our developers are either delayed or prevented from accomplishing the goals of the Infill Program, such as the construction of homes to serve some of the neediest populations in Miami-Dade County. Therefore, the Board adopted Resolution No. R-1004-14 to urge municipalities to waive and/or release and satisfy their liens.

If your municipality is interested in negotiating an interlocal cooperation agreement with the County, I ask that your representative respond to Mr. Michael Liu, Director, Public Housing and Community Development before February 20, 2015 at (798) 469-4106 or [mliu88@miamidade.gov](mailto:mliu88@miamidade.gov).

Additionally, the department's Infill Housing Program will schedule a meeting to further discuss this matter. If you have any questions, please contact Mr. Alan Eson, Real Estate Officer with the Infill Housing Program, at (785) 469-4226 or via email [aeson@miamidade.gov](mailto:aeson@miamidade.gov).

Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. Daniel J. Alfonso, City Manager, City of Miami  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department



CARLOS A. GIMENEZ

MAYOR

MIAMI-DADE COUNTY

January 29, 2015

The Honorable Jeff Porter  
Mayor  
City of Homestead  
650 NE 22 Terrace  
Homestead, FL 33033

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Porter:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

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Pursuant to Section 17-26 of the County Code, the Mayor is authorized to release or satisfy any County lien and/or citation placed on publicly or privately-owned property if the property has been approved by the Mayor for the Infill Program and the private owner records a declaration of restrictive covenants in the public records in a form approved by the County. Such County liens include, but are not limited to, civil restitution liens, code enforcement liens, demolition liens, hospital liens, judgment liens, lot clearing liens, minimum housing standard liens, mortgage liens, nuisance abatement liens, public defender liens, storm water utility liens, waste liens, water and sewer liens and welfare liens.

However, there is no similar provision for the waiver and/or release and satisfaction of municipal liens recorded by municipalities, where some of our Infill Program properties are currently located. As a result of these liens, the County and our developers are either delayed or prevented from accomplishing the goals of the Infill Program, such as the construction of homes to serve some of the neediest populations in Miami-Dade County. Therefore, the Board adopted Resolution No. R-1004-14 to urge municipalities to waive and/or release and satisfy their liens.

If your municipality is interested in negotiating an interlocal cooperation agreement with the County, I ask that your representative respond to Mr. Michael Liu, Director, Public Housing and Community Development before February 20, 2015 at (798) 469-4106 or [mliu88@miamidade.gov](mailto:mliu88@miamidade.gov).

Additionally, the department's Infill Housing Program will schedule a meeting to further discuss this matter. If you have any questions, please contact Mr. Alan Eson, Real Estate Officer with the Infill Housing Program, at (785) 469-4226 or via email [aeson@miamidade.gov](mailto:aeson@miamidade.gov).

Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. George Gretsas, City Manager, City of Homestead  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department



CARLOS A. GIMENEZ

MAYOR

MIAMI-DADE COUNTY

January 29, 2015

The Honorable Joseph Smith  
Mayor  
City of North Miami  
776 NE 125 Street  
North Miami, FL 33161

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Smith:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

The purpose of the Infill Program is: (1) to increase the availability of affordable homes for low- and moderate-income persons ("Qualified Households"); (2) maintain a stock of affordable housing; (3) redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties; (4) equitably distribute homeownership opportunities within certain infill target areas as defined in the Miami-Dade County Florida Code of Ordinances (Code), Section 17-122j; and (5) generate payment of ad valorem taxes. Through the Infill Program, developers build single family homes to be sold to qualified households. The Infill Program further encourages the redevelopment of vacant, dilapidated or abandoned property through the sale or transfer of County property to qualified developers, and the inclusion of privately owned vacant, dilapidated or abandoned properties. These Infill properties often have both County and municipal liens and citations that encumber the properties which must be addressed prior to the sale of a home to a Qualified Household.

Pursuant to Section 17-26 of the County Code, the Mayor is authorized to release or satisfy any County lien and/or citation placed on publicly or privately-owned property if the property has been approved by the Mayor for the Infill Program and the private owner records a declaration of restrictive covenants in the public records in a form approved by the County. Such County liens include, but are not limited to, civil restitution liens, code enforcement liens, demolition liens, hospital liens, judgment liens, lot clearing liens, minimum housing standard liens, mortgage liens, nuisance abatement liens, public defender liens, storm water utility liens, waste liens, water and sewer liens and welfare liens.

However, there is no similar provision for the waiver and/or release and satisfaction of municipal liens recorded by municipalities, where some of our Infill Program properties are currently located. As a result of these liens, the County and our developers are either delayed or prevented from accomplishing the goals of the Infill Program, such as the construction of homes to serve some of the neediest populations in Miami-Dade County. Therefore, the Board adopted Resolution No. R-1004-14 to urge municipalities to waive and/or release and satisfy their liens.

If your municipality is interested in negotiating an interlocal cooperation agreement with the County, I ask that your representative respond to Mr. Michael Liu, Director, Public Housing and Community Development before February 20, 2015 at (798) 469-4106 or [mliu88@miamidade.gov](mailto:mliu88@miamidade.gov).

Additionally, the department's Infill Housing Program will schedule a meeting to further discuss this matter. If you have any questions, please contact Mr. Alan Eson, Real Estate Officer with the Infill Housing Program, at (785) 469-4226 or via email [aeson@miamidade.gov](mailto:aeson@miamidade.gov).

Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. Aleem A. Ghany, P.E., City Manager, City of North Miami  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department





CARLOS A. GIMENEZ

MAYOR

MIAMI-DADE COUNTY

January 29, 2015

The Honorable Oliver G. Gilbert III  
Mayor  
City of Miami Gardens  
18605 NW 27 Avenue  
Miami Gardens, FL 33056

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Gilbert:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

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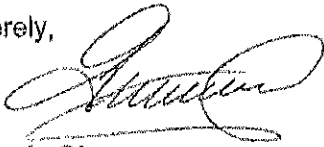
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If your municipality is interested in negotiating an interlocal cooperation agreement with the County, I ask that your representative respond to Mr. Michael Liu, Director, Public Housing and Community Development before **February 20, 2015** at (798) 469-4106 or [mliu88@miamidade.gov](mailto:mliu88@miamidade.gov).

Additionally, the department's Infill Housing Program will schedule a meeting to further discuss this matter. If you have any questions, please contact Mr. Alan Eson, Real Estate Officer with the Infill Housing Program, at (785) 469-4226 or via email [aeson@miamidade.gov](mailto:aeson@miamidade.gov).

Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. Cameron D. Benson, City Manager, City of Miami Gardens  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department



CARLOS A. GIMENEZ

MAYOR

MIAMI-DADE COUNTY

January 29, 2015

The Honorable Otis T. Wallace  
Mayor  
City of Florida City  
404 W. Palm Drive  
Florida City, FL 33034

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Wallace:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

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However, there is no similar provision for the waiver and/or release and satisfaction of municipal liens recorded by municipalities, where some of our Infill Program properties are currently located. As a result of these liens, the County and our developers are either delayed or prevented from accomplishing the goals of the Infill Program, such as the construction of homes to serve some of the neediest populations in Miami-Dade County. Therefore, the Board adopted Resolution No. R-1004-14 to urge municipalities to waive and/or release and satisfy their liens.

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Additionally, the department's Infill Housing Program will schedule a meeting to further discuss this matter. If you have any questions, please contact Mr. Alan Eson, Real Estate Officer with the Infill Housing Program, at (785) 469-4226 or via email [aeson@miamidade.gov](mailto:aeson@miamidade.gov).

Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. R. S. Shiver, Vice Mayor, City of Florida City  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department



CARLOS A. GIMENEZ

MAYOR  
MIAMI-DADE COUNTY

January 29, 2015

The Honorable Myra Taylor  
Mayor  
City of Opa-Locka  
3400 NW 135 Street, Bldg. B  
Opa-Locka, FL 33054

Re: Waiver of Municipal Liens Pursuant to Resolution No. R-1004-14

Dear Mayor Taylor:

On November 5, 2014, the Miami-Dade Board of County Commissioners ("Board") adopted Resolution No. R-1004-14, a copy of which is enclosed. The resolution urges municipalities, including the City of Miami, City of North Miami, City of Opa-Locka, City of Homestead, City of Florida City and City of Miami Gardens, to waive and/or release and satisfy their municipal liens, which have been recorded in the public record against properties. These properties are owned by Miami-Dade County ("County") and are designated by the Board as appropriate for inclusion in the Miami-Dade County's Infill Housing Initiative Program ("Infill Program"). The Infill Program was established pursuant to Ordinance No-0147 and is administered by the County's Public Housing and Community Development Department. Resolution No. R-1004-14 also directs the County Mayor or his designee to negotiate interlocal cooperation agreements with each of the before-mentioned municipalities, ensuring the timely waiver and/or release and satisfaction of municipal liens recorded in the public record against such Infill properties.

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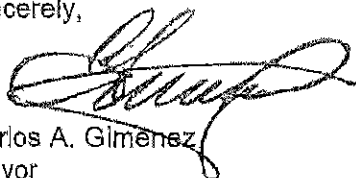
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Thank you in advance for your cooperation.

Sincerely,



Carlos A. Gimenez  
Mayor

Enclosure

- c. Kelvin L. Baker Sr., City Manager, City of Opa-Locka  
Russell Benford, Deputy Mayor, Office of the Mayor  
Terrence A. Smith, Assistant County Attorney  
Michael Liu, Director, Public Housing and Community Development Department  
Alan Eson, Real Estate Officer, Infill Housing Program  
Public Housing and Community Development Department